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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/283,770	03/31/1999	ROMY A. ACHITUV	IR-013	1443
21912	7590	01/28/2004	EXAMINER	
VAN PELT & YILLP 10050 N. FOOTHILL BLVD #200 CUPERTINO, CA 95014			BUGG, GEORGE A	
			ART UNIT	PAPER NUMBER
			2613	

DATE MAILED: 01/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/283,770

Applicant(s)

ACHITUV ET AL.

Examiner

George A Bugg

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 14 November 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. §§ 119 and 120**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11/14/03 has been entered.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-25 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by U.S. Patent No. 5,963,664 to Kumar et al.

4. As for Claims 1, 13, 18, and 23-25, Kumar discloses (Fig. 2) a set of temporally

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sequential frames of visual data, each frame representing an image, defining a region, within a panoramic region. Further disclosed (Fig. 2) is the positioning of one or more images, with relationship to the spatial orientation of the panoramic region, while an active image is being displayed. In addition, (Fig. 1, Element 106) shows an output device, which could be any type of video display. Kumar (Fig. 1) also shows the use of multiple cameras, which would provide at least two non-coincidental images, as well as a plurality of sets of temporally sequential frames, as further disclosed in Claim 13. Also disclosed in Claim 13 is the identification of a branch point, for the purpose of updating an image. Kumar discloses (Col. 17, Lines 13-33) a scene change detection scheme.

5. As for claim 25, note the scene change is detected between temporally sequential images, and the new set of frames is the updated set of frames (Col. 7).

6. Further disclosed in Claim 24, is a readable storage medium, on which is stored one or more computer programs, for producing a visual display, of a panoramic region. Kumar discloses (Col. 4, Lines 58-61) and (Col. 5, Lines 15-17) a computer that is programmed to function as an image processing system, and a video storage and retrieval system.

7. (Emphasis Added) ***As for the additional limitations of claims 1, 23, and 24, see Figures 8 and 11. The image with motion of Figure 8, and an active image are one in the same. The motion for successive frames of the image is determined by differencing the overlapping data from frame to frame. Referring to Figure 11, as an object moves through the scene from right to left, it will be displayed at each location. Previously displayed images of the moving object will no longer be***

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*active images because they will no longer have motion associated with them, and will therefore be replaced by static context images, of the background scene.*

*When the next sequential image 200 sub N comes in, the mosaic still displays "context images" or past images. The latest image is considered the active image. Clearly, Kumar teaches that a mosaic (multiple images viewable together) can include past images, or context images, and the latest images, or active images. Motion could be present in both, should there be no motion, the context images will be presented as static. It is the contention of the Examiner this is equivalent to displaying active images and context images and provides for a context display as well as an active display.*

8. Claim 2 discloses one or more context images, being automatically displayed, in a predetermined manner. Kumar teaches (Fig. 7), (Col. 11, Lines 1-3) a hierarchical technique to register images.

9. Claims 3-4, disclose an order, in which context images are to be displayed. Since the frames representing an image are processed sequentially, and a hierarchy for how those images are displayed, already exists, it is logical to assume that the context images would be displayed, as disclosed in Claims 3-4.

10. As for Claims 15 and 20, Kumar discloses (Col. 5, Lines 7-9) a single camera providing temporally sequential frames of visual data, while the camera pans across the scene, or "rotates at a fixed location".

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11. As for Claim 16, Kumar discloses (Col. 4, Lines 58-61) and (Col. 5, Lines 15-17) a computer that is programmed to function as an image processing system, and a video storage and retrieval system.

12. In reference to Claims 5-12, Kumar discloses (Col. 4, Lines 58-61) and (Col. 5, Lines 15-17) a computer that is programmed to function as an image processing system, and a video storage and retrieval system. The use of computer software, and a memory, implies that past and present images can be designated, by user instruction, to perform all functions disclosed in Claims 5-12.

13. Although Claims 21-22 do not disclose user interaction, or image designation, by a user, they do refer to displaying context images, in a specific manner. It is therefore implied, that these displays could not take place, without instruction, and are rejected, for the same reasons as Claims 5-12.

14. Regarding Claims 14 and 19, Kumar teaches (Fig. 2, Element 204) that each overlapping section, of an image, is updated by the new image. The fact that images can be displayed, while being produced, suggests that an active image is produced in real time.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to George A Bugg whose telephone number is (703) 305-2329. The examiner can normally be reached on Monday-Thursday from 7:30 to 6:00.

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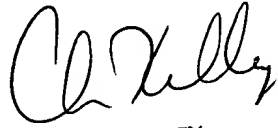
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher S Kelley, can be reached on (703) 304-4856. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4750.

George A Bugg  
Examiner  
Art Unit 2613

GAB

January 23, 2004

  
CHRIS KELLEY  
SUPERVISORY PATENT EXAMINER  
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